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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,880	06/01/2001	Jean-Louis Lalanne	446.001	6096
20311	7590	02/12/2004		
MUSERLIAN AND LUCAS AND MERCANTI, LLP 475 PARK AVENUE SOUTH NEW YORK, NY 10016			EXAMINER KATCHEVES, KONSTANTINA T	
			ART UNIT	PAPER NUMBER
			1636	

DATE MAILED: 02/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO / CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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DATE MAILED:

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Commissioner for Patents

Enclosed please find Notice of Non-responsive Amendment.

Konstantina Katcheves

Art Unit: 1636

DETAILED ACTION

Claims 1-43 are pending in the present application. This Office action is in response to Applicant's response to the Examiner's restriction requirement filed 5 November 2003.

Notice of Non-responsive Amendment

The reply filed on 5 November 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): First, the amendment filed by Applicant to correct SEQ ID Nos: in the specification remains incorrect because no marked up copy of the replacement pages have been provided. Second, the claims submitted on 5 November 2003 do not comply with the new revised amendment format. See 37 C.F.R. 1.121. Third, According the Examiner's restriction requirement mailed 26 August 2003, Applicant must elect a single gene and a corresponding SEQ ID NO: for examination. Applicant has failed to select a SEQ ID NO: for examination. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Konstantina Katcheves whose telephone number is (571) 272-0768. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday 7:30 to 5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Remy Yucel, Ph.D. can be reached on (571) 272-0781. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3388.

Konstantina Katcheves
28 January 2004


REMY YUCEL, PH.D
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600